

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
Case No. 7:21-cv-00013-M

MARIAN DUBAR,

Plaintiff,

v.

WELLS FARGO BANK N.A. and
HUTCHEN LAW FIRM,

Defendants.

ORDER

On February 26, 2021, Magistrate Judge Jones issued a memorandum and recommendation (the “M&R”) in this case. [DE-5] In the M&R, Judge Jones recommends that the court dismiss Plaintiff’s complaint for failure to prosecute and failure to comply with the court’s order at [DE-4]. The deadline for Plaintiff to object to the M&R has passed, and Plaintiff has not filed any objections.

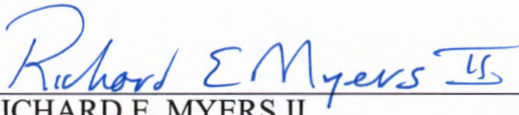
The Fourth Circuit has said:

The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made. By contrast, in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.

Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (internal quotation marks, brackets, emphases, and citations omitted); *see* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.

The court has reviewed the M&R and the record and is satisfied that there is no clear error reflected on the face thereof. *See Link v. Wabash R.R. Co.*, 370 U.S. 626, 629 (1962) (“The authority of a federal trial court to dismiss a plaintiff’s action with prejudice because of his failure to prosecute cannot seriously be doubted.”). Accordingly, the court ADOPTS the M&R and DISMISSES Plaintiff’s complaint.

SO ORDERED this the 8th day of April, 2021.



RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE